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Hon. Marcia M. Henry  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Gao v. Yu et al.  
Civil Action No. 1:21-cv-06308-DG-MMH

Dear Marcia M. Henry,

The amended complaint filed on December 10, 2021, was not filed pursuant to Rule 15(a)(2).

Instead, it was filed pursuant to Rule 15(a)(1), which states that a “party may amend its pleading once as a matter of course within...21 days after service of a responsive pleading.” The original complaint was served only 9 days prior to the first amendment being filed, and therefore our amended complaint did not fail to comply with any Federal rules.

Respectfully Submitted,

By: /s/ Paul A. Gilmer  
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